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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 8 October 2010 from the Permanent Mission of Uganda to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Uganda to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to transmit herewith the report of Uganda on the implementation of resolution 1540 (2004) (see annex).

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Please recycle

Annex to the note verbale dated 8 October 2010 from the Permanent Mission of Uganda to the United Nations addressed to the Chair of the Committee

Report of the Republic of Uganda on the implementation of Security Council resolution 1540 (2004)

The Republic of Uganda is a party to the Treaty on the Non-Proliferation of Nuclear Weapons, as well as the Chemical Weapons Convention and the Biological Weapons Convention. The relevant prohibitions are implemented by different Government ministries or authorities.

The Chemical Weapons Convention was ratified by Uganda on 30 November 2001 and a National Authority for the Implementation of the Convention was established. The National Authority is in the Occupational Safety and Health Department in the Ministry of Gender, Labour and Social Development.

The Republic of Uganda has taken executive measures that ensure compliance with resolution 1540 (2004). This includes the review of relevant policies, with a view to establishing what further measures may be necessary. The National Authority, together with other stakeholders, has developed the Toxic Chemicals Prohibition and Control Bill which, when enacted into law, will fully implement the provisions of the Chemical Weapons Convention at the national level. The Bill is at the stage of submission to the Cabinet for discussion and thereafter to Parliament.

The centrepieces of this legislative framework are the Occupational Safety and Health Act (2006) and the Anti-Terrorism Act (2001).

Comments in relation to the specific issues raised by resolution 1540 (2004)

Paragraph 1

> "*Decides* that all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery;"

The Republic of Uganda does not provide any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use chemical or biological weapons and their means of delivery. Any and all such support is prohibited under the proposed Toxic Chemicals Prohibition and Control Bill.

Paragraph 2

> "*Decides also* that all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them;"

Action taken:

As a party to the Chemical Weapons Convention, the obligations contained therein are fully covered in the proposed Toxic Chemicals Prohibition and Control Bill.

The Anti-Terrorism Act (2001) establishes the offence of using, possessing, developing or helping to develop, trafficking or brokering in chemical weapons.

Technical assistance

The National Authority requests support and assistance to develop more effective control and monitoring systems of the scheduled chemicals. The National Authority needs training on how to effectively detect, deter, prevent and combat the transport of illicit chemicals. Specific areas where assistance in the provisions of resolution 1540 (2004) is required include:

- National protection training courses
- Medical defence and civil protection against chemical weapons
- Training of first/emergency responders
- Border control through the provision of training and appropriate instruments for the detection of scheduled chemicals

Please find attached a summary of the request made by the National Authority in September 2006 (see attachment).

Attachment

Note verbale dated 14 September 2005 from the Permanent Mission of Uganda to the United Nations addressed to the Chairman of the Committee

With reference to the note of the Chairman of 22 August 2005 regarding national reports on the implementation of Security Council resolution 1540 (2004), the Government of Uganda established a National Authority in the Department of Occupational Safety and Health in the Ministry of Gender, Labour and Social Development to ensure compliance through coordination with other stakeholders.

The Government has not fully developed the legal and regulatory infrastructure for implementing the obligations and provisions of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.

Uganda lacks the capacity to implement the obligations and provisions of resolution 1540 (2004). Technical and other assistance is required to implement the envisaged activities:

- To develop and maintain appropriate national measures to account for, secure and physically protect nuclear, chemical and biological weapons and their means of delivery, including related materials
- To develop and maintain appropriate national border controls to detect, deter, prevent and combat the illicit trafficking and brokering of nuclear, chemical and biological weapons and their means of delivery, including related materials
- To establish, develop, review and maintain appropriate national export and trans-shipment controls over nuclear, chemical and biological weapons and their means of delivery, including related materials.

In the initial stages, the Government proposes the attached budget, for which we would welcome assistance and support (see annex I). We would therefore appreciate your assistance in obtaining the needed resources.

Please find, attached as annex II to the present letter, a letter dated 25 August 2005 from the Permanent Secretary of the Ministry of Gender, Labour and Social Development of Uganda, transmitting a request by Uganda for assistance for the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.

Annex I to the letter dated 14 September 2005 from the Permanent Mission of Uganda to the United Nations addressed to the Chairman of the Committee

Budget for the proposal

The National Authority has inadequate resources to effectively carry out the implementation activities required by the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. The following items have been identified which require financial assistance.

Item	*Quantity*	*Unit cost (United States dollars)*	*Total cost (United States dollars)*
1. Information/Office requirements			
Local Area Network (LAN)			1 200.00
Database programme design			6 000.00
Photocopier	1	5 400.00	5 400.00
Filing cabinets	2	250.00	500.00
Fax machine	1	3 400.00	3 400.00
E-mail and telephone services installation			1 500.00
E-mail and telephone services (3,000 x 5 years)			15 000.00
Stationery (5,000 x 5 years)			25 000.00
Survey/monitoring and identifying declarable facilities (12,000 x 5 years)			60 000.00
2. Training facility			
Conference table	1		2 000.00
Conference chairs	20	100.00	2 000.00
Mobile (Power point) projector	1	2 800.00	2 800.00
Flip chart stand	1	150.00	150.00
Power point screen	1	100.00	100.00
3. Transport facility			
Toyota Hilux Double Cabin 4WD Pick-Up	1		50 000.00
Total			**174 550.00**

Amount requested is one hundred and seventy-four thousand, five hundred and fifty United States dollars only (US$ 174,550.00).

Annex II to the letter dated 14 September 2005 from the Permanent Mission of Uganda to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004)

Assistance in regard to Security Council resolution 1540 (2004) on nuclear, chemical and biological weapons

With reference to the letter of the Chairman dated 20 May 2005 pursuant to the implementation of resolution 1540 (2004) of the Security Council, please find enclosed for your consideration and action our request for assistance pursuant to resolution 1540 (2004) (see enclosure).

(*Signed*) Ralph W. **Ochan**
Permanent Secretary

Enclosure

Request for assistance by the Republic of Uganda for the implementation of the Chemical Weapons Convention

1.0 Background and justification

The Government of the Republic of Uganda signed the Chemical Weapons Convention (CWC) on 14 January 1993 and ratified it on 30 November 2001. Ratification goes with certain obligations and responsibilities, which Uganda has to comply with as a full member. In order to implement the activities of the CWC and coordination with the Organization for the Prohibition of Chemical Weapons (OPCW), a National Authority (NA) was established in the Department of Occupational Safety and Health, in the Ministry of Gender, Labour and Social Development.

The National Authority is responsible to ensure compliance through coordination with other stakeholders. The stakeholders which make up the NA include the following Government Ministries and Organizations: Ministry of Foreign Affairs; Ministry of Defence; Ministry of Water, Lands and Environment; Ministry of Health; Ministry of Agriculture, Animal Industry and Fisheries; Ministry of Justice and Constitutional Affairs; Ministry of Finance Planning and Economic Development; Ministry of Internal Affairs; Ministry of Tourism, Trade and Industry; The National Environment Management Authority (NEMA); Uganda Manufacturers Association (UMA); and Uganda Revenue Authority (URA).

The Government of the Republic of Uganda has not fully developed the legal and regulatory infrastructure for implementing the obligations and provisions of the CWC and resolution 1540 (2004).

The Government of Uganda is seeking technical and other resources to carry out her obligations under the CWC and resolution 1540 (2004).

The implementation activities/provisions under the CWC and resolution 1540 (2004) involve extensive consultation and collaboration with the stakeholders, monitoring and evaluation of production facilities and sensitization of the population about CWC across the country. This requires a broad range of communication facilities for the National Authority in order to fulfil these provisions. The NA is hosted in the capital city while the production facilities are scattered across the country.

In addition, technical assistance is required in areas of capacity-building of the NA members on the obligations and declarations, legal measures and transport facility.

1.1 Objective

To strengthen the capacity of the National Authority to implement the obligations of the CWC and the provisions of resolution 1540 (2004) in Uganda.

1.2 Specific objectives

- To develop legal regulations to enforce the CWC.
- To have a full-fledged National Authority with a database on the chemicals/activities carried out at processing factories.
- To monitor the import, transit and use of chemicals entering and leaving the country.
- To raise awareness and foster a better understanding of the objectives of the CWC and to promote the peaceful use of chemistry.
- Training of NA in the CWC implementation activities.

1.3 Expected outputs

- National legislation on the enforcement of the CWC and related plan of action formulated and operationalized.
- Increased capacity of the NA to monitor and implement the CWC provisions.
- Skilled and trained workforce on the implementation of CWC.

1.4 Performance indicators

- Effective CWC national legislation and related plan of action.
- Key government stakeholders mainstreaming the CWC activities in their regular workplans, activities and budgets.
- An effective monitoring system in place with updated information on the CWC implementation programmes.